IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	**8:09CR348**
vs.	)	
	)	**ORDER**
FRANCISCO M. HERRERA-CASTRO,	)	
	)	
	)	
Defendant.		

This matter is before the court on the defendant's motion for a 30-day extension of time in which to file pretrial motions [16]. Upon review of the file, the court finds that a 14-day extension should be granted.

IT IS ORDERED that the Motion to Continue Filing Pretrial Motions [16] is granted, in part, as follows:

1. The deadline for filing pretrial motions is extended to **October 28, 2009.**

2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **October 14, 2009 and October 28, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. Trial will be set by further order of the court.

DATED 15th day of October, 2009.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge